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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
08/794,772	02/03/1997	SHINJI SHIRAGA	35.G1271-CI	7040	
5514	7590 09/24/2003				
FITZPATRICK CELLA HARPER & SCINTO			EXAMINER		
• •	ELLER PLAZA I, NY 10112		NGUYEN, JENNIFER T		
•			ART UNIT	PAPER NUMBER	
			2674	2/	
			DATE MAILED: 09/24/2003	/	

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Expansions of time may be available under the provision of 37 CPR 1.13(a). In no event, however, may a reply be timely filled. Expansions of time may be available under the provision of 37 CPR 1.13(a). In no event, however, may a reply be timely filled. Expansions of time may be available under the provision of 37 CPR 1.13(a). In no event, however, may a reply be timely filled. Expansions of time applications of the period of reply will, by statute, causes the application to become ADADONED (SEU S. \$ 135). Expansions of time adjustment. See 37 CPR 1.704(b). Status 1) Responsive to communication(s) filled on 14.1uly 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.4-7.9 and 10 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are objected to. 8) Claim(s) 1.4-7.9 and 10 is/are rejected. 7) Claim(s) is/are allowed. 8) Claim(s) is are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a cocepted or b objected to by the Examiner. Application may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filled on is/are: a provided by the Examiner. 11 approved, corrected drawings are required in reply to this Office action. 12 The oath or declaration is objected to by the Examiner. 13 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a All b Some c C None of: 14				P
Examiner Jennifer T Nguyen Je		Application No.	Applicant(s)	/
Jennifier T Nguyen		08/794,772	SHIRAGA, SHINJI	1
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. Estamcias of time may be a valished used the processor of 3 CFR 1.18(d), in or event, however, may a reply be timely filed after \$2 \text{ (i)} \text{ (i)} \text{ (in the may be a valished used by the processor of 3 CFR 1.18(d), in the avent, however, may a reply be timely filed after \$2 \text{ (iii)} \text{ (iii)} \text{ (iiii)} \text{ (iiiii)} \text{ (iiii)} (iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii	Office Action Summary	Examiner	Art Unit	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. Examination of little many be available under the provisions of 37 CFR 1.30(a), in ne event, however, may a reply be timely filled. Expensions of little many be available under the provisions of 37 CFR 1.30(a), in ne event, however, may a reply be timely filled. Expensions of little many be available under the provisions of 37 CFR 1.30(a), in ne event, however, may a reply be timely filled. Expensions of little many available under the provisions of 37 CFR 1.30(a) and available under the statistical provisions of 37 CFR 1.30(a). Expensions of little many available under the maximum statistic provisional application, even if linely filled, may reduce any scanned platent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filled on 14 July 2003. 2) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)		Jennifer T Nguyen	2674	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Expensions of time may be available under the provisions of 3° CPR 1.736(a). In no event, however, may a reply be timely filled Expensions of time may be available under the provisions of 3° CPR 1.736(a). In no event, however, may a reply be timely filled If the period for reply specified above is less than thirty (30) days, a reply which the statutory period will be provided for reply specified above, he maximum statutory period will apply and will stage for \$(x) (MONTHS from the mailing date of this communication. Final period for reply specified above, he maximum statutory period will apply and will stage for \$(x) (MONTHS from the mailing date of this communication. Final period for reply specified above, he maximum statutory period will apply and will stage for \$(x) (MONTHS from the mailing date of this communication. Final period for reply specified and shows the maximum status period will be applyed and the communication. Final period for the status of the communication and the communication and the communication. This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parie Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.4-7.9 and 10 is/are pending in the application. 4a) Of the above claim(s) is/are pending in the application. 5) Claim(s) 1.4-7.9 and 10 is/are rejected. 7) Claim(s) is/are allowed. 8) Claim(s) 1.4-7.9 and 10 is/are rejected. 7) Claim(s) is/are allowed. 8) Claim(s) 1.4-7.9 and 10 is/are rejected to 2. Claim(s) 1.4-7.9 and 10 is/are rejected to 2. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filled on is/are: allowed. 11) The proposed drawings correction filled on is/are: allowed. 12 period drawings are required in reply to this O	·	ears on the cover sheet with	the correspondence address	
THE MAILING DATE OF THIS COMMUNICATION. Extensions of the may be available under the provisions of 37 CFR 1.78(a). In or event, however, may a reply bet timely filled after SX (6) MONTHS from the mailing date of this communication. If the period for reply specified between items than thing (10) deys, a reply within the studies principle of the reply (10) deys, as the considered finally. If the period for reply specified between items than the month of the communication is the period for reply will, by statular, cause the application to become ABANDONED (38 U.S.C. § 133). Any reply received by the Office after than the new months after the mailing date of this communication, even if timely filled, may reduce any examination term adjustment. See 37 CFR 1.79(b). Status 1) Responsive to communication(s) filled on 14. July 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.4-7.9 and 10 is/are pending in the application. 4a) Of the above claim(s) is/are employed. 5) Is/are allowed. 6) Claim(s) 1.4-7.9 and 10 is/are rejected. 7) Claim(s) is/are objected to. 3) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filled on is/are rejected or by objected to by the Examiner. Application Papers 9) The proposed drawing correction filed on is: a) accepted or by objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 2) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provi	• •	Y IS SET TO EXPIRE 3 MC	NTH(S) FROM	
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Application/Control Number: 08/794,772

Art Unit: 2674

DETAILED ACTION

1. This Office action is responsive to amendment filed on 07/14/2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-7, 9, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Motoyanagi (U.S. Patent No. 5,182,655).

Regarding claims 1 and 7, referring to Figs. 1 and 5, Motoyanagi teaches an electric equipment (200) (i.e. facsimile apparatus) having a plurality of power saving modes comprising: deriving means (21) for deriving remaining capacity of a battery (20), selecting means (12) for selecting one of a plurality of power saving modes (i.e., memory reception modes), calculating means (9) for calculating a remaining operating time from data derived by said deriving means and the one of the plurality of power saving modes selected by said selecting means (12), and display means (13a) for displaying both the power saving mode selected by said selecting means (12) and the remaining operating time calculated by said calculating means (9) (col. 1, lines 45-53, from col. 1, line 61 to col. 2, line 35, col. 4, lines 47-68, col. 5, lines 16-29 and col. 8, lines 34-59).

Application/Control Number: 08/794,772

Art Unit: 2674

Regarding claim 4, Motoyanagi teaches control means (4) for controlling a processing speed and a brightness of display (13a) in said equipment (200) responsive to said selecting means (12) (Fig. 5, col. 7, lines 60-66).

Regarding claim 5, Motoyanagi teaches main display means (13a) for displaying data in relation to processed data in the electric equipment (200) (col. 4, lines 30-37).

Regarding claim 6, Motoyanagi teaches display means (13a) continuously displays the power saving mode and said remaining battery capacity (col. 3, lines 33-40, col. 6, lines 11-26).

Regarding claims 9 and 10, Motoyanagi teaches an electric equipment having a power saving mode comprising: a deriving means (21) for deriving remaining capacity of a battery (20), selecting means (12) for selecting one of a plurality of power saving modes (i.e., memory reception modes), calculating means (9) for calculating a remaining operating time from data derived by said deriving means and the one of the plurality of power saving modes selected by said selecting means (12), display means (13a) for displaying both the power saving mode selected by said selecting means (12) and the remaining operating time calculated by said calculating means (9), and control means (4) for controlling a brightness of display in response to the power saving mode selected by said selecting means (from col. 3, line 18 to col. 4, line 68 and col. 7, lines 57-68).

Response to Argument

4. Applicant's arguments filed on 07/14/2003 have been fully considered but they are not persuasive.

In response to Applicant's argument that claims 1 and 7 recite "selecting one of the plurality of power saving modes". However, Motoyanagi teaches selecting one of the plurality of

Application/Control Number: 08/794,772

Art Unit: 2674

power saving modes (i.e., memory reception modes) (col. 4, lines 38-68). Therefore, it is believed that the limitations of claims 1 and 4-7 are still met by Motoyanagi and the rejection is still maintained.

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Page 5

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen 09/12/2003 Art Unit 2674

> RICHARD HJERPE SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600